

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA )  
v. ) Case No. 1:17-cr-73  
MASSIO ALEXANDER LOONEY ) Judge Mattice/Steger  
                                 ) )

**ORDER**

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 21] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to counts one and two of the two count Indictment; (2) accept Defendant's guilty plea as to counts one and two of the two count Indictment; (3) adjudicate Defendant guilty of being a felon in possession of a firearm and ammunition, which had been transported in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1), and possessing a firearm, which had been transported in interstate commerce, from which the manufacturer's serial number had been removed, altered or obliterated, in violation of Title 18 U.S.C. § 922(k); and (4) order that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 21] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to counts one and two of the two count Indictment is **GRANTED**;
2. Defendant's plea of guilty to counts one and two of the two count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of being a felon in possession of a firearm and ammunition, which had been transported in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1), and possessing a firearm, which had been transported in interstate commerce, from which the manufacturer's serial number had been removed, altered or obliterated, in violation of Title 18 U.S.C. § 922(k); and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on November 13, 2017, at 9:00 a.m. before the undersigned.

**SO ORDERED.**

*/s/ Harry S. Mattice, Jr.*  
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HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE